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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JESSE STEPHEN KING,
12 Petitioner,
13 v.
14 CHARLES SCHUYLER,
15 Respondent.
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No. 2:23-cv-2360-KJM-SCR

ORDER

17 On October 6, 2025, petitioner filed a motion requesting permission to file a motion for
18 reconsideration. ECF No. 42. The court construes this motion as a request for reconsideration of
19 the Magistrate Judge’s previous order under Local Rule 303(c). In that order, the Magistrate
20 Judge denied petitioner’s motion to appoint counsel. ECF No. 37. Under 28 U.S.C.
21 § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a), a district judge may reconsider and set
22 aside a magistrate judge’s order on a non-dispositive pretrial matter such as this one if the order is
23 “clearly erroneous” or “contrary to law.” Here, the Magistrate Judge correctly identified and
24 applied the relevant law and made no errors. *See Trotter v. Bunnell*, 42 F.3d 1402 (9th Cir. 1994)
25 (summarizing relevant legal standard); *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986)
26 (“Indigent state prisoners applying for habeas corpus relief are not entitled to appointed counsel

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1 unless the circumstances of a particular case indicate that appointed counsel is necessary to
2 prevent due process violations.”). The motion at ECF No. 42 is denied.

3 DATED: October 28, 2025.

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5 UNITED STATES DISTRICT JUDGE
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